

**REAL PROPERTY APPRAISER BOARD  
Conference Room #F, Lower Level  
NEBRASKA STATE OFFICE BUILDING  
301 CENTENNIAL MALL SOUTH, LINCOLN, NE**

**December 22, 2011**

**OPENING**

Chairman Brad Moore called to order the December 22, 2011 meeting of the Nebraska Real Property Appraiser Board at 9:00 a.m., in conference room F located on the lower level of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska.

**NOTICE OF MEETING**

Chairman Moore announced the notice of the meeting was duly given, posted, published and tendered in compliance with the Open Meetings Act, and all Board members received notice simultaneously by e-mail. Publication of official notice of the meeting appeared in the December 19, 2011 edition of the *Lincoln Journal Star*, a legal newspaper of general circulation in this State, as required by the public meeting law. The agenda was kept current in the Nebraska Real Property Appraiser Board Office and on the Board's website. Materials generally used by the Board for this meeting were available in the public folder for inspection by the public and in accordance with the Open Meetings Act. A copy of the Open Meetings Act was available for the duration of the meeting. For the record, Board Members Bradford Moore, Tom Kubert, Philip Barkley, David Hartman and Gregg Mitchell were present. Also present were Interim Director, Joe Wilson and Staff Assistant, Kirsten Casburn.

**ADOPTION OF THE AGENDA**

Chairman Moore reminded those present for the meeting that the Agenda cannot be altered 24 hours prior to the meeting except for emergency items according to the Open Meetings Act. Board Member Mitchell moved to adopt the Agenda as printed. Board Member Kubert seconded the motion. With no further discussion, the motion carried with Barkley, Kubert, Mitchell, Hartman and Moore voting aye.

**WELCOME GUESTS**

Chairman Moore welcomed the guests to the meeting and asked that they please sign the guest log.

**APPROVAL OF THE MINUTES FROM November 17, 2011**

Chairman Moore asked for any additions or corrections to the November 17, 2011 minutes. There were corrections made in the enforcement section, a hold on 09-25, revised consent agreement date of 09/01/2012 on 11-03, revised consent agreement on 11-04, dismiss 11-20, hold on 11-27. There was one education provider omitted from the agenda and one applicant who came to meet with the Board. With no further discussion Board Member Barkley moved to adopt the minutes as amended. Board Member Mitchell seconded the motion. The motion carried with Kubert, Mitchell, Barkley, Hartman and Moore voting aye.

**CHAIRMAN'S REPORT**

Chairman Moore comments were limited to the job posting for the Directors position and when to close the application.

**DIRECTOR'S REPORT**

Interim Director Wilson reported the number of appraisers for December 2011 stands as follows: 13 Registered/Conversion; 75 Licensed Residential; 192 Certified Residential; and 349 Certified General

for a total of 629 appraisers. The accounting includes the totals for December 2010 reporting 824 appraisers and the report for December 2009 reporting 850 appraisers. There are also 7 Trainees.

## **RECEIPTS AND EXPENDITURES REPORT – NOVEMBER 2011**

The receipts and expenditures for November were reviewed by the Director by line item with the Board. A total of \$9,275.89 in expenditures and \$32,984.08 in receivables is reported. Considerations were made for expenditures for monthly obligations. No considerations were made for expenditures other than monthly obligations. A copy of the Budget Status Report and Receipt Journal for November are attached and considered part of these minutes. In addition to the Budget Status Report, a General Ledger Detail Report was reviewed by the Board.

Board Member Kubert moved to accept and file the November 2011 Budget Status report for receipts and expenditures for audit. Board Member Mitchell seconded the motion. The motion carried with Mitchell, Barkley, Kubert, Hartman and Moore voting aye.

## **UNFINISHED BUSINESS**

**AMC UPDATE:** All the forms have been developed and we are waiting until after 1/1/2012 to process the AMC applications. We currently have a total of approximately 23 applications with more coming in almost daily at this point.

## **NEW BUSINESS**

**HOME BUILDERS OF GREATER OMAHA** – Eric Lakeman & Larry Nyffeler discussed problem appraisals in new construction in the Omaha area and suggested establishing a task force to study the problem. Out-going Board Member Gregg Mitchell volunteered to be on the task force.

**APPRAISER ACT 2012** – Senator Langemeier has agreed to sponsor the appraiser bill changes necessary for this year and forwarded his legislative bill. Board Member Mitchell moved to support the bill as written. Board Member Barkley seconded the motion. The motion carried with Mitchell, Barkley, Kubert, Hartman and Moore voting aye.

**FEDERAL SUBCOMMITTEE: SSN & USPAP BOOKS:** Board Member Mitchell moved to supply social security numbers to the Federal Subcommittee, with the okay by the Attorney General Office. Board Member Hartman seconded the motion. The motion carried with Mitchell, Barkley, Kubert, Hartman and Moore voting aye. Board Member Mitchell moved to provide USPAP books to all resident Nebraska appraisers. Board Member Barkley seconded the motion. The motion carried with Mitchell, Barkley, Kubert, Hartman and Moore voting aye.

**CONTRACT WITH NSP:** The Board reviewed the contract with the Nebraska State Patrol. . Board Member Mitchell moved to approve the contract with minor amendments. Board Member Barkley seconded the motion. The motion carried with Mitchell, Barkley, Kubert, Hartman and Moore voting aye.

**AMC CHECKLIST:** The Board reviewed the AMC checklist. The Board suggested some minor changes to the format.

## **GENERAL PUBLIC COMMENTS**

Chair Moore asked for any public comments. With no comments, the Chair proceeded to the education.

## **EDUCATION - None**

*The Nebraska Real Property Appraiser Board will meet in executive session for approval of applicants and enforcement matters.*

## **APPLICANTS & ENFORCEMENT**

Board Member Barkley moved that the Board go into executive session for the purpose of reviewing applicants for credentialing and consideration of written complaints and disciplinary action. A closed session is clearly necessary to prevent needless injury to the reputation of the individual or individuals relating to the issues of qualifying applicants and relating to the alleged violations of performance in real property appraisal practice. The time on the meeting clock was 12:44 p.m. Board Member Kubert seconded the motion. The motion carried with Barkley, Kubert, Mitchell, Hartman and Moore voting aye.

Board Member Barkley moved to come out of executive session at 1;53 p.m. Board Member Kubert seconded the motion. The motion carried with Barkley, Kubert, Mitchell, Hartman and Moore voting aye.

Vice Chair Barkley moved to take the following action for the Trainee/Supervisor applicants:

**ST212 – Approve application for Trainee/Supervisor**

**ST213 – Approve application for Trainee**

Vice Chair Barkley moved to take the following action for the Registered applicant:

**R893 / Approved for credential subject to exam**

Vice Chair Barkley moved to take the following action for the Licensed applicant:

**L593 / Approved for credential**

**L596 / Approved for credential**

**L597 / Deny**

**L599 / Approved for credential**

Vice Chair Barkley moved to take the following action for the Certified Residential applicants:

**CR388 / Select 4 reports for review**

**CR389 / Approved for credential**

**CR390 / Approved for credential**

Vice Chair Barkley moved to take the following action for the Certified General applicants:

**CG628 / Approved for credential**

**CG629 / Approved for credential**

**CG630 / Approved for credential**

Board Member Mitchell seconded the motion. Motion carried with Mitchell, Barkley, Kubert, Hartman and Moore voting aye.

Board Member Barkley moved to take the following enforcement actions:

09-25	Hold
11-03	Hold.
11-04	Hold.
11-05	Send letter advising that the Board is not going to change Consent Agreement.
11-12	Hold.
11-13	Letter from Bill Blake.
11-21	Hold.
11-22	Hold.
11-23	Dismiss.
11-24	Dismiss.
11-25	Dismiss
11-26	Hold. (due to illness)
11-27	Send letter of inquiry.

Board Member Mitchell seconded the motion. Motion carried with Mitchell, Barkley, Kubert, Hartman and Moore voting aye.

Board Member Barkley moved to take the following enforcement actions:

09-07 & 09-09; ask the advice of the Attorney General's office about scheduling a hearing before the Board.

## **ADJOURNMENT**

Board Member Mitchell moved to adjourn the meeting. Board Member Kubert seconded the motion. Motion carried unanimously.

At 2:00 p.m. Chairman Moore adjourned the December 22, 2011 meeting of the Real Property Appraiser Board. The next meeting is scheduled for January 19, 2012 in conference room F located on the Lower level of the NSOB.

Respectfully submitted,

Joe Wilson  
Interim Director

These minutes were available for public inspection on January 6, 2012, in compliance with Nebraska Statute §84-1413(5).